

REMARKS

Claims 1, 2 and 4-13 are all the claims pending in the application.

Withdrawn product claims 8-13 have been amended to be directed to a plate. Claim 8 has been amended to recite the claimed ranges of claim 1 and claims 10-13 have been amended to correct the improper multiple dependencies. In addition, claim 13 was amended for purposes of further clarity. Reconsideration of withdrawn product claims 8-13 is respectfully requested.

Entry of the above amendments is respectfully requested.

Claims 1-2 and 4-7 are rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-7 and 9 of US Patent 7,462,251.

In addition, claims 1-2 and 4-7 are rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-12 of US Patent 7,459,041.

Without conceding in the merits of the rejection and to advance prosecution, Applicants submit herewith a terminal disclaimer to disclaim the terminal part of any patent granted on this application which would extend beyond the expiration of the full statutory term of US Patent 7,462,251 and US Patent 7,459,041.

In addition, it is submitted that the filing of a terminal disclaimer to obviate a rejection based on non-statutory double patenting is not an admission of the propriety of the rejection.

In view of the above, withdrawal of the non-statutory obviousness-type double patenting rejections is respectfully requested.

For the foregoing reasons, reconsideration and allowance of claims 1, 2 and 4-13 is respectfully requested.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Keiko K. Takagi
Registration No. 47,121

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: May 12, 2009